

1 M. KIRBY C. WILCOX (SB# 078576) kirbywilcox@paulhastings.com  
THOMAS E. GEIDT (SB# 080955) tomgeidt@paulhastings.com  
2 MOLLY A. HARCOS (SB# 233556) mollyharcos@paulhastings.com  
ANDREA M. LINDEMANN (SB# 244937) andrealindemann@paulhastings.com  
3 PAUL, HASTINGS, JANOFKY & WALKER LLP  
55 Second Street  
4 Twenty-Fourth Floor  
San Francisco, CA 94105-3441  
5 Telephone: (415) 856-7000  
Facsimile: (415) 856-7100  
6 Attorneys for Defendant  
CADENCE DESIGN SYSTEMS, INC.  
7

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION  
11

12 AHMED HIGAZI, on behalf of himself and a  
class of those similarly situated,

13 Plaintiff,

14 vs.

15 CADENCE DESIGN SYSTEMS, INC.,

16 Defendant.  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CASE NO. 3:07-CV-02813 BZ

**DECLARATION OF DENISE  
MOORADIAN IN SUPPORT OF  
DEFENDANT CADENCE DESIGN  
SYSTEMS INC.'S MOTION FOR  
INTRADISTRICT VENUE TRANSFER**

Date: August 22, 2007

Time: 10:00 a.m.

Courtroom: G, 14th Floor

Judge: Hon. Bernard Zimmerman

1 I, Denise Mooradian, declare:

2  
3 1. I am the Human Resources Information Management ("HRIM") Manager  
4 for defendant Cadence Design Systems, Inc. in California. I make this declaration in support of  
5 Cadence's motion for an intradistrict transfer of venue. I have personal knowledge or have been  
6 informed in my capacity as company representative of the facts set forth below and could and  
7 would competently testify to them if called as a witness.

8  
9 2. As the HRIM Manager, I am responsible for Cadence's HR data systems  
10 and for establishing consistency in HR forms, reports, transactions and recordkeeping practices. I  
11 have access to Cadence's various human resources records and data bases, which Cadence  
12 maintains in the course of a regularly conducted business activity. In connection with this  
13 declaration, some of these records and data bases have been accessed and reviewed.

14  
15 3. The HR managers responsible for Cadence's US IT organization have  
16 consistently worked out of our San Jose facility. In fact, the majority of Cadence's US HR staff  
17 is located in San Jose.

18  
19 **Facts Regarding Plaintiff**

20 4. The San Jose office where plaintiff worked is located in Santa Clara  
21 County, which as I understand, is located in the geographical boundaries of the San Jose Division  
22 of the United States District Court for the Northern District of California.

23  
24 5. The employment records reflect that Plaintiff worked for MCI on a contract  
25 to provide services to Cadence from June 24, 1997 to July 14, 1999. Cadence hired Plaintiff on  
26 July 14, 1999 and employed him through August 28, 2004 when his employment terminated. The  
27 employment records reflect that Plaintiff was assigned to Cadence's San Jose office for the entire  
28 period of his employment, and that Plaintiff was never transferred to another location or assigned

1 to work anywhere but San Jose. The employment records further reflect that Plaintiff was an  
 2 exempt, salaried employee who worked in the following positions during his employment with  
 3 Cadence:

Start Date	End Date	Position
1999-07-14	1999-11-01	Principal Program Analyst
1999-11-01	2001-01-01	Principal Systems Engineer I
2001-01-01	2002-05-16	Staff Systems Engineer
2002-05-16	2004-08-28	Staff Systems Administrator

10 6. The personnel files for all Cadence U.S. employees are located in San Jose.  
 11 Thus, the personnel file of Plaintiff is stored in San Jose.

13 7. Cadence stores the following information relating to ERISA Benefit  
 14 Plans in the San Jose office: the 401(k) plan and all amendments, the summary plan  
 15 description and all SMMs (Summaries of Material Modifications), and 5500s, including  
 16 the auditor's reports.

18 8. The employment records reflect that while working in the San Jose  
 19 office as an employee of Cadence, Plaintiff reported to the following managers, all of  
 20 whom work(ed) themselves in the San Jose office:

Manager's Name	Start Date	End Date	Work location
Ciaccio, Robert	1999-07-14	2000-03-16	San Jose
Arora, Samir	2000-03-16	2001-06-01	San Jose
de Lanerolle, Karishka	2001-06-01	2004-06-22	San Jose
Sweazey- Root, Sheryl	2004-06-22	2004-08-28	San Jose

1           9.     Of these managers, the three who remain employed by Cadence as of  
2 this date, Samir Arora, Sheryl Sweazey Root and Kanishka de Lanerolle, all work out of  
3 the San Jose office.

4  
5           10.    The employment records reflect that many of the former coworkers  
6 of the Plaintiff reside in or near San Jose.

7  
8           11.    I am informed and believe that most of the records relevant to Plaintiff's  
9 employment duties and 401(k) plan, with Cadence are located at or near San Jose.

10                                   **Distribution of Cadence's Employees**

11           12.    It is my understanding that the San Jose Division of the Northern District  
12 of California encompasses the counties of Santa Clara, Santa Cruz, San Benito, and Monterey.  
13 San Jose is located in Santa Clara County. The number of U.S. IT employees that Cadence  
14 employs within the area encompassed by the San Jose Division of the Northern District equals  
15 63.93% of Cadence's total U.S. IT population.

16  
17           13.    It is my understanding that the San Francisco and Oakland Divisions of the  
18 Northern District of California encompass the counties of Alameda, Contra Costa, Del Norte,  
19 Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, and Sonoma. Berkeley is  
20 located in Alameda County. Only one IT employee works in the Berkeley, CA personnel area.  
21 This one person is the only IT employee who works in the area encompassed by the San  
22 Francisco and Oakland Divisions and equals 0.46% of Cadence's total U.S. IT population.

23  
24           14.    If called as a witness, I would and could competently testify thereto to all  
25 facts within my personal knowledge except where stated upon information and belief.  
26  
27  
28

1 I declare, under penalty of perjury under the laws of California and the United  
2 States, that the information above is true and correct.

3  
4 Executed this 1<sup>st</sup> day of June, 2007, at San Diego, California.

5   
6 DENISE MOORADIAN

7 LEGAL\_US\_W # 56456497.1  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28